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 Equal Employment Opportunity Commission

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

<b>EQUAL EMPLOYMENT OPPORTUNITY                  COMMISSION,</b>	}	Civil Action No. C-06-02104 MMC
Plaintiff,	}	<b>CONSENT DECREE</b>
v.	}	
<b>NOB HILL PROPERTIES, INC. dba                  HUNTINGTON HOTEL,</b>	}	
Defendant.	}	

Plaintiff Equal Employment Opportunity Commission ("Commission") filed this action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct alleged unlawful employment practices on the basis of national origin and retaliation, and to provide appropriate relief to Martin Roman whom the Commission alleged was adversely affected by such practices. The Commission alleged that Defendant Nob Hill Properties, Inc., dba The Huntington Hotel ("Huntington") subjected Mr. Roman to discrimination based on his national origin and retaliation, in violation of Title VII. Defendant has denied all of the Commission's allegations and claims. The Commission and Defendant Huntington now seek to resolve this action as to each other and as between Huntington and Martin Roman ("Charging Party") without further contested litigation through the instant Consent Decree. This resolution does not constitute an admission of liability

1 on the part of Huntington, nor constitute a finding on the allegations stated in the Commission's  
2 Complaint.

3 The Court has reviewed this Consent Decree in light of the pleadings, the record herein,  
4 and the applicable law, and now approves this Consent Decree.

5 THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

6 **GENERAL PROVISIONS**

7 1. This Court has jurisdiction over the subject matter and the parties to this action.  
8 This Court retains jurisdiction over this Consent Decree during its term.

9 2. This Consent Decree constitutes a full and final resolution of the Commission's  
10 claims against Huntington in this action.

11 3. This Consent Decree will become effective upon its entry by the Court.

12 4. This Consent Decree is final and binding upon the parties to it, their successors  
13 and assigns.

14 5. The Commission and Huntington will each bear its own costs and attorneys fees  
15 in this action.

16 **GENERAL INJUNCTIVE RELIEF**

17 6. Huntington and its current officers, agents, employees, and all persons in active  
18 concert or participation with them will comply with all requirements of Title VII with respect to  
19 providing a work environment free from discrimination, including discrimination based on  
20 national origin and retaliation.

21 7. Huntington and its current officers, agents, employees, and all persons in active  
22 concert or participation with them agree not to retaliate against the Charging Party, or any other  
23 employee or former employee, for having testified or participated in any manner in the  
24 Commission's investigation and the proceedings in this case.

25 **SPECIAL INJUNCTIVE RELIEF**

26 **Communication relevant to resolution of claims**

27 8. As a part of the resolution of this action, Defendant will prepare a conciliatory  
28 letter to Charging Party to be signed by Isabelle Fritz-Cope and John Cope, reiterating

1 Defendant's commitment to equal opportunity.

2 9. As a further part of the resolution of this action, Charging Party will be given the  
3 opportunity to meet with John Cope and Simon Harrington to discuss workplace issues in the  
4 Food and Beverage Department.

5 **Training**

6 10. Huntington will use an outside consultant, paid for by Huntington, to provide  
7 equal employment opportunity training to all employees once per year during the term of this  
8 Consent Decree (two trainings total), such year to be measured from the entry of this  
9 Consent Decree. The training will specifically include the subjects of national origin-  
10 based discrimination and retaliation.

11 **Record Keeping and Reports**

12 11. Within thirty (30) days after completing each training session described in  
13 paragraph 10, Huntington will mail to counsel for the Commission a report containing  
14 the name of the individual or organization which did the training, the date of training,  
15 an outline of the training content, a list of all attendees, and copies of all materials  
16 distributed at the training.

17 12. Once every six (6) months, to be measured beginning at the date of entry  
18 of this Consent Decree and continuing for the duration of this Consent Decree,  
19 Huntington will notify counsel for the Commission whether it has received any  
20 complaints of discrimination based on national origin or retaliation from employees in  
21 the Food and Beverage Department (whether said complaints were oral or written,  
22 formal or informal, filed with an administrative agency or simply raised to a  
23 management official at the workplace), what steps were taken in response to the  
24 complaint(s), and how the situation was resolved.

25 **MONETARY RELIEF**

26 13. Huntington will pay the total sum of \$35,000.00, to Charging Party Martin  
27 Roman as damages for emotional distress and in complete satisfaction of the  
28 Commission's claims against Huntington as set forth in its Complaint. This sum will be



ORDER

It is so ordered.

Dated: March 8, 2007

  
U.S. District Court Judge